

(Practitioner's Docket No. GP-303826)

REMARKS

Upon entry of the present amendment claims 1, 5-10 are pending in the application. Claims 1, 5, 6, and 7 have been amended.

Amended claim 1 was modified to clarify antecedent basis and to further claim the invention. Amended claim 1 contains no new matter. Claim 1 as amended now further defines the plastic deformation passage of the invention as: "...extending from the first cylindrical guide roll to the second cylindrical guide roll." Support for this amendment can be found in the original specification in paragraph on page 4, paragraphs 46 and 47 and in Figure 2.

Amended claim 5 was modified to clarify antecedent basis. Amended claim 5 adds no new matter as support for amended claim 5 can be found in claim 1 and claim 5 as originally filed and in page 5, paragraph 63 of the original specification.

Amended claim 6 was modified to clarify antecedent basis. Amended claim 6 adds no new matter as support for amended claim 6 can be found in page 5, paragraph 65 of the original application and in Figure 4.

Amended claim 7 was modified to clarify antecedent basis. Amended claim 7 adds no new matter as support for amended claim 7 can be found in page 5, paragraph 63 of the original specification and in Figure 3.

1. Objection of the Abstract.

A substitute abstract in compliance with United States Patent Practice is included on page 2 of the present Amendment. Entry of the substitute abstract is respectfully requested.

2. Rejection of claim 1 under 35 U.S.C. §112, second paragraph.

The Examiner has rejected to claim 1 under 35 U.S.C. §112 due to insufficient antecedent basis for limitations in the claim. Applicant has amended the claims to include proper antecedent basis. In particular, Applicant has deleted "the form" in Line 1, and has amended line 6 to recite "the two cylinder guide rolls."

Reconsideration and removal of the Indefiniteness rejection is respectfully requested.

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3. Rejection of claims 1, 5-10 under 35 U.S.C. §102(b) as BEING anticipated by Wagner et al., U.S. 4,214,469, hereafter "Wagner" or "469".

The PTO's position is that Wagner anticipates Claim 1 and specifically, Figure 1 and Figure 3 of Wagner anticipate Claim 1.

Applicant greatly appreciates the detailed basis of rejection but must respectfully disagree.

To anticipate a claim, a single source must contain all of the elements of the claim. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. *Structural Rubber Prods. Co. v. Park Rubber Co.*, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

This standard is not met with the disclosure of Wagner. Applicants' amended claim 1 requires "a plastic deformation passage having a first surface and a second surface, at least a portion of the first surface being defined by a portion of the bendable strip, and at least a portion of the second surface being defined by the outer circumference of the first cylindrical feeding roll, the plastic deformation passage extending from the first cylindrical guide roll to the second cylindrical guide roll."

It is the PTO's position that Wagner teaches: "a plastic deformation passage (see Fig. 1) having a first and a second surface, at least a portion of the first surface being defined by a portion of the bendable strip (3), and at least a portion of the second surface being defined the outer circumference of the first cylindrical feeding roll (24) (Fig. 3)." (Office Action of 1-25-06, page 4.)

Applicants respectfully submit that Wagner does not teach all the limitations of Applicants' amended claim 1.

The PTO relies on Figure 1 and Figure 3 of Wagner to teach the specific plastic deformation passage of Applicant's invention. The PTO relies on Figure 1 to teach at least a portion of the first surface being defined by a portion of the bendable strip. Further, the Examiner relies the endless belt 3 of Wagner to teach Applicants bendable strip 3. However, Figure 1 of Wagner does not teach a second surface being defined by an outer circumference of the first cylindrical feeding roll. The PTO relies on Figure

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3 to teach at least a portion of a second surface being defined by an outer circumference of the first cylindrical feed roll. However, neither Figure 1 nor Figure 3 of Wagner teach all the claim limitations of Applicant's amended claim 1.

In particular, neither Figure 1 nor Figure 3 teach Applicants specific deformation passage as recited in amended independent claim 1. Applicants' required deformation passage is defined by a portion of the bendable strip, and at least a portion of the second surface being defined by the outer circumference of the first cylindrical feeding roll. Further, Applicants' deformation passage extends from the first cylindrical roll to the second cylindrical roll.

In contrast, Wagner teaches "a region of a die 5 where "the metallurgical bonding of the two section components takes place." (Column 2 lines 66-67) No plastic deformation is taught to take place at Wagner's die 5. More importantly, the region of Wagner's die 5 where "the metallurgical bonding takes place" extends only proximate the first roller. The region of the Wagner die 5 is not a deformation passage extending between the first guide roll and the second guide roll as required by Applicant's amended claim 1. Thus, Wagner does not teach every limitation of Applicants' amended claim 1.

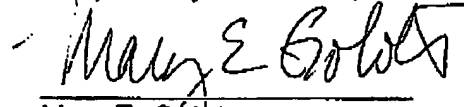
Reconsideration and removal of the anticipation rejection is respectfully requested in as much as Wagner fails to disclose a required limitation of independent claim 1. Similarly, reconsideration and removal of the rejection is also requested as to dependent claims 5-10, in as much as these dependent claims incorporate the limitations of amended independent claim 1.

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CONCLUSION

Applicant(s) respectfully submit that the Application and pending claims are patentable in view of the foregoing amendments and/or remarks. A Notice of Allowance is respectfully requested. As always, the Examiner is encouraged to contact the Undersigned by telephone if direct conversation would be helpful.

Respectfully Submitted,



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